

**House File 2449 - Introduced**

HOUSE FILE 2449

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2434)

(SUCCESSOR TO HSB 645)

**A BILL FOR**

1 An Act relating to government operations and efficiency, school  
2 elections, eliminating certain tax credits, and including  
3 effective date and applicability provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

GOVERNMENT INFORMATION TECHNOLOGY SERVICES

Section 1. Section 8A.205, subsection 2, paragraph g, Code 2011, is amended to read as follows:

*g.* Encourage participating agencies to utilize duplex printing and a print on demand strategy to reduce printing costs, publication overruns, excessive inventory, and obsolete printed materials.

Sec. 2. DEPARTMENT OF ADMINISTRATIVE SERVICES —  
INFORMATION TECHNOLOGY DEVICE INVENTORY.

1. The department of administrative services shall complete an inventory of information technology devices utilized by the department and participating agencies, as defined in section 8A.201. The department shall conduct the inventory with the goal of identifying potential information technology device upgrades, changes, or other efficiencies that will meet the information technology needs of the applicable department or agency at reduced cost to the state.

2. The department shall submit a report to the general assembly by January 1, 2013, describing the department's actions as required by this section. The report shall, if applicable, identify any statutory barriers or needed technology investments for pursuing efforts described in this section and shall include in the report its findings and any recommendations for legislative action.

Sec. 3. DEPARTMENT OF ADMINISTRATIVE SERVICES —  
INFORMATION TECHNOLOGY COORDINATION AND MANAGEMENT.

1. The department of administrative services, in accordance with the requirements of 2010 Acts, chapter 1031, and Code section 8A.202, subsection 2, paragraph "g", to coordinate and manage information technology services within the department, shall establish a schedule by which all departments subject to the requirements of that Act and chapter 8A shall comply with these requirements. The schedule shall provide for implementation of the requirements to all affected state

1 agencies and departments by December 31, 2013. The department  
2 shall submit a copy of the schedule to the general assembly  
3 by July 31, 2012, and shall provide periodic updates to the  
4 general assembly on the progress of meeting the time deadlines  
5 contained in the schedule.

6 2. In procuring information technology as provided in  
7 section 8A.207, the department of administrative services  
8 should explore strategies of procuring information technology  
9 through leasing.

10 DIVISION II

11 PERSONNEL AND BENEFITS

12 Sec. 4. NEW SECTION. 8A.440 Group health insurance —  
13 family enrollment.

14 1. If a state employee covered by a collective bargaining  
15 agreement entered into pursuant to chapter 20 and the state  
16 employee's spouse, who is also a state employee, are both  
17 members of a state group health insurance plan for employees  
18 of the state established under chapter 509A, the employee and  
19 the spouse shall be required to enroll in a single family group  
20 health insurance plan.

21 2. If a state employee not covered by a collective  
22 bargaining agreement as provided in chapter 20 and the state  
23 employee's spouse, who is also a state employee, are both  
24 members of a state group health insurance plan for employees  
25 of the state established under chapter 509A, the employee and  
26 spouse shall be required to enroll in a single family group  
27 health insurance plan for both state employees in the same  
28 manner as is required under the collective bargaining agreement  
29 that covers the greatest number of state employees in the state  
30 government entity employing the state employee.

31 Sec. 5. NEW SECTION. 9.8 Employee classifications.

32 In addition to public employees listed in section 20.4,  
33 public employees of the secretary of state who hold positions  
34 as information technology specialists are excluded from chapter  
35 20.

1     Sec. 6. Section 97B.1A, subsection 26, paragraph a,  
2 subparagraph (1), subparagraph division (d), Code Supplement  
3 2011, is amended to read as follows:

4     (d) For a member of the general assembly, the total  
5 compensation received by a member of the general assembly,  
6 ~~whether paid in the form of per diem or annual salary,~~  
7 exclusive of expense expenses, per diem, and travel allowances  
8 paid to a member of the general assembly ~~except as otherwise~~  
9 ~~provided in this subparagraph division. Wages includes per~~  
10 ~~diem payments paid to members of the general assembly during~~  
11 ~~interim periods between sessions of the general assembly.~~  
12 ~~Wages also includes daily allowances to members of the general~~  
13 ~~assembly for nontravel expenses of office during a session of~~  
14 ~~the general assembly, but does not include the portion of the~~  
15 ~~daily allowance which exceeds the maximum established by law~~  
16 ~~for members from Polk county.~~

17     Sec. 7. Section 97B.1A, subsection 26, paragraph a,  
18 subparagraph (2), subparagraph divisions (h) and (i), Code  
19 Supplement 2011, are amended to read as follows:

20     (h) Reimbursements of employee business expenses ~~except for~~  
21 ~~those expenses included as wages for a member of the general~~  
22 ~~assembly.~~

23     (i) Payments for allowances ~~except for those allowances~~  
24 ~~included as wages for a member of the general assembly.~~

25     Sec. 8. GROUP HEALTH INSURANCE COVERAGE FOR STATE  
26 EMPLOYEES.

27     1. The state's executive and judicial branch authorities  
28 responsible for negotiating the collective bargaining  
29 agreements entered into under chapter 20 shall engage in  
30 discussions with the applicable state employee organizations  
31 to renegotiate provisions involving health insurance coverage  
32 of state employees and their families in order to achieve cost  
33 savings for the state. The discussions shall include but  
34 are not limited to a requirement for a state employee who is  
35 covered by a collective bargaining agreement and whose spouse

1 is also a state employee, where both the state employee covered  
2 by the agreement and the spouse are members of a state group  
3 health insurance plan for employees of the state established  
4 under chapter 509A, to enroll in a single family group health  
5 insurance plan for both state employees.

6 2. If collective bargaining agreements are renegotiated  
7 to achieve cost savings pursuant to subsection 1, the cost  
8 savings provisions shall also apply to state employees who are  
9 not covered by collective bargaining as provided in chapter  
10 20 and are members of a state group health insurance plan for  
11 employees of the state established under chapter 509A.

12 3. Beginning on the effective date of this section, a state  
13 legislator or legislative staff member whose spouse is a state  
14 employee, where both employees are members of a state group  
15 health insurance plan for employees of the state established  
16 under chapter 509A, shall be required to enroll in a single  
17 family group health insurance plan for both employees.

18 Sec. 9. DEPARTMENT OF ADMINISTRATIVE SERVICES —  
19 HUMAN RESOURCES ADMINISTRATION STUDY. The department of  
20 administrative services shall conduct a study to examine the  
21 feasibility of issuing a request for proposals to enter into  
22 a contract with a private entity for the provision of human  
23 resources services provided by the department of administrative  
24 services for state employees, to include management of  
25 human resources, employee benefits, payroll, payroll tax  
26 administration, and workers' compensation. The study shall  
27 identify potential cost savings, legal requirements, and other  
28 relevant issues, in considering entering into a contract with a  
29 private entity for the provision of human resources services  
30 for state employees. The department shall submit a report to  
31 the general assembly detailing the results of its study by  
32 January 1, 2013.

33 Sec. 10. APPLICABILITY. The section of this division  
34 of this Act enacting section 8A.440, applies to collective  
35 bargaining agreements entered into on or after the effective

1 date of that section of this division of this Act.

2 Sec. 11. EFFECTIVE UPON ENACTMENT. The following sections  
3 of this division of this Act, being deemed of immediate  
4 importance, take effect upon enactment:

5 1. The section of this division enacting section 8A.440.

6 2. The section of this division relating to group health  
7 insurance coverage for state employees.

8 3. The section of this division relating to applicability.

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DIVISION III

10

MEDICATION THERAPY MANAGEMENT

11 Sec. 12. NEW SECTION. 8A.441 Medication therapy management.

12 1. As used in this section, unless the context otherwise  
13 requires:

14 a. "*Eligible employee*" means an employee of the state, with  
15 the exception of an employee of the state board of regents or  
16 institutions under the state board of regents, for whom group  
17 health plans are established pursuant to chapter 509A providing  
18 for third-party payment or prepayment for health or medical  
19 expenses.

20 b. "*Medication therapy management*" means a systematic  
21 process performed by a licensed pharmacist, designed to improve  
22 quality outcomes for patients and lower health care costs,  
23 including emergency room, hospital, provider, and other costs,  
24 by optimizing appropriate medication use linked directly to  
25 achievement of the clinical goals of therapy. Medication  
26 therapy management shall include all of the following services:

27 (1) A medication therapy review and in-person consultation  
28 relating to all medications, vitamins, and herbal supplements  
29 currently being taken by an eligible individual.

30 (2) A medication action plan, subject to the limitations  
31 specified in this section, communicated to the individual and  
32 the individual's primary care physician or other appropriate  
33 prescriber to address issues including appropriateness,  
34 effectiveness, safety, drug interactions, and adherence. The  
35 medication action plan may include drug therapy recommendations

1 to prescribers that are needed to meet clinical goals and  
2 achieve optimal patient outcomes.

3 (3) Documentation and follow-up to ensure consistent levels  
4 of pharmacy services and positive outcomes.

5 2. *a.* The department shall utilize a request for proposals  
6 process and shall enter into a contract for the provision of  
7 medication therapy management services for eligible employees  
8 who meet any of the following criteria:

9 (1) An individual who takes four or more prescription drugs  
10 to treat or prevent two or more chronic medical conditions.

11 (2) An individual with a prescription drug therapy problem  
12 who is identified by the prescribing physician or other  
13 appropriate prescriber, and referred to a pharmacist for  
14 medication therapy management services.

15 (3) An individual who meets other criteria established by  
16 the third-party payment provider contract, policy, or plan.

17 *b.* The contract shall require the entity to provide annual  
18 reports to the general assembly detailing the costs, savings,  
19 estimated cost avoidance and return on investment, and improved  
20 patient outcomes related to the medication therapy management  
21 services provided. The entity shall guarantee demonstrated  
22 annual savings for overall health care costs, including  
23 emergency room, hospital, provider, and other costs, with  
24 savings including associated cost avoidance, at least equal  
25 to the program's costs with any shortfall amount refunded to  
26 the state. The contract shall include terms, conditions,  
27 and applicable measurement standards associated with the  
28 demonstration of savings. The department shall verify the  
29 demonstrated savings reported by the entity were achieved in  
30 accordance with the agreed upon measurement standards. The  
31 entity shall be prohibited from using the entity's employees to  
32 provide the medication therapy management services and shall  
33 instead be required to contract with licensed pharmacies,  
34 pharmacists, or physicians.

35 *c.* The department may establish an advisory committee

1 comprised of an equal number of physicians and pharmacists  
2 to provide advice and oversight in evaluating the results of  
3 the program. The department shall appoint the members of the  
4 advisory committee based upon designees of the Iowa pharmacy  
5 association, the Iowa medical society, and the Iowa osteopathic  
6 medical association.

7 *d.* The fees for pharmacist-delivered medication therapy  
8 management services shall be separate from the reimbursement  
9 for prescription drug product or dispensing services; shall  
10 be determined by each third-party payment provider contract,  
11 policy, or plan; and must be reasonable based on the resources  
12 and time required to provide the service.

13 *e.* A fee shall be established for physician reimbursement  
14 for services delivered for medication therapy management as  
15 determined by each third-party payment provider contract,  
16 policy, or plan, and must be reasonable based on the resources  
17 and time required to provide the service.

18 *f.* If any part of the medication therapy management  
19 plan developed by a pharmacist incorporates services which  
20 are outside the pharmacist's independent scope of practice  
21 including the initiation of therapy, modification of dosages,  
22 therapeutic interchange, or changes in drug therapy, the  
23 express authorization of the individual's physician or other  
24 appropriate prescriber is required.

25 Sec. 13. EFFECTIVE UPON ENACTMENT. This division of this  
26 Act, being deemed of immediate importance, takes effect upon  
27 enactment.

28 DIVISION IV

29 IOWA LAW ENFORCEMENT ACADEMY

30 Sec. 14. IOWA LAW ENFORCEMENT ACADEMY — CURRICULUM AND  
31 COURSE EFFICIENCIES. The director of the Iowa law enforcement  
32 academy, in consultation with the Iowa law enforcement academy  
33 council, shall examine its course offerings to law enforcement  
34 officers with the goal of offering core courses to all law  
35 enforcement officers instead of offering distinct courses to



1 different groupings of law enforcement officers.

2 DIVISION V

3 STATE PHYSICAL RESOURCES

4 Sec. 15. STATE EMPLOYEE WORK ENVIRONMENT ANALYSIS  
5 AND REPORT. By September 30, 2012, the department of  
6 administrative services shall conduct a high level needs  
7 analysis of state employee work stations and office standards,  
8 assessing square footage needs, and focusing on reducing  
9 state office space costs while creating healthy, productive,  
10 and efficient work environments. Overall objectives of the  
11 analysis shall include improving employee density; properly  
12 allocating space for individual and group work; improving  
13 worker health and safety; improving technology integration;  
14 and improving energy efficiency and sustainability in  
15 state offices. The department shall submit findings and  
16 recommendations to the capitol planning commission and to the  
17 legislative government oversight committees by October 30,  
18 2012.

19 Sec. 16. DEPARTMENT OF NATURAL RESOURCES — REAL PROPERTY  
20 INVENTORY AND REPORT.

21 1. The department of natural resources shall conduct  
22 an inventory of all real property under the control of the  
23 department and shall submit a report to the general assembly  
24 providing detailed information relative to this inventory by  
25 January 1, 2013.

26 2. The inventory and report submitted by the department  
27 shall include all of the following information concerning real  
28 property owned by or under the control of the department of  
29 natural resources:

30 a. The location and acreage of each parcel of real property.

31 b. The approximate fair market value of each parcel of real  
32 property.

33 c. Current utilization of each parcel of real property, to  
34 include whether the land has been used for farming, hunting, or  
35 other recreational purposes, and the extent of each use for a

1 particular purpose in the previous five years.

2 d. Information on whether a particular parcel of real  
3 property is leased and if the parcel is leased, information  
4 on the process used to lease the property and the terms of  
5 the lease, including the length of the lease, rental payment  
6 requirements, and any other provisions relative to terminating  
7 or extending the lease.

8 e. How the department acquired each parcel of real property,  
9 such as through gift, devise, or purchase by the department,  
10 and whether any restrictions exist on the department's ability  
11 to sell the real property.

12 Sec. 17. NEW SECTION. 455A.14 Agricultural land —  
13 restrictions.

14 The department shall not purchase real property that is  
15 agricultural land as defined in section 9H.1.

16 Sec. 18. EFFECTIVE UPON ENACTMENT. This division of this  
17 Act, being deemed of immediate importance, takes effect upon  
18 enactment.

19 DIVISION VI

20 FILM PROJECT AND TAX CREDIT PROGRAM

21 Sec. 19. Section 2.48, subsection 3, paragraph c,  
22 subparagraph (5), Code 2011, is amended by striking the  
23 subparagraph.

24 Sec. 20. Section 15.119, subsection 2, paragraph b, Code  
25 Supplement 2011, is amended by striking the paragraph.

26 Sec. 21. Section 422.7, subsection 52, Code Supplement  
27 2011, is amended by striking the subsection.

28 Sec. 22. Section 422.33, subsections 23 and 24, Code  
29 Supplement 2011, are amended by striking the subsections.

30 Sec. 23. Section 422.35, subsection 23, Code Supplement  
31 2011, is amended by striking the subsection.

32 Sec. 24. Section 422.60, subsections 10 and 11, Code  
33 Supplement 2011, are amended by striking the subsections.

34 Sec. 25. Section 533.329, subsection 2, paragraphs f and g,  
35 Code Supplement 2011, are amended by striking the paragraphs.

1 Sec. 26. REPEAL. Sections 15.391, 15.392, 15.393, 422.11T,  
2 422.11U, 432.12J, and 432.12K, Code and Code Supplement 2011,  
3 are repealed.

4 Sec. 27. EFFECTIVE UPON ENACTMENT. This division of this  
5 Act, being deemed of immediate importance, takes effect upon  
6 enactment.

7 Sec. 28. RETROACTIVE APPLICABILITY. This division of this  
8 Act applies retroactively to January 1, 2012, for tax years  
9 beginning on or after that date.

10 Sec. 29. APPLICABILITY. This division of this Act does not  
11 apply to contracts or agreements entered into on or before the  
12 effective date of this division of this Act.

13 DIVISION VII

14 HUMAN SERVICES — FOOD ASSISTANCE PROGRAM

15 Sec. 30. FOOD ASSISTANCE PROGRAM — AUTHORITY TO RESTRICT  
16 USE OF BENEFITS. The department of human services shall submit  
17 a request to the United States department of agriculture for  
18 authorization for a waiver, pilot project, or other approach  
19 for restricting the use of food assistance benefits, as  
20 administered by the state under the federal supplemental  
21 nutrition assistance program, for food items with a low  
22 nutritional value. The request shall be submitted within 60  
23 days of the effective date of this division of this Act. The  
24 department shall regularly report on the status of the request  
25 to the members of the joint appropriations subcommittee on  
26 health and human services and the legislative services agency.

27 Sec. 31. EFFECTIVE UPON ENACTMENT. This division of this  
28 Act, being deemed of immediate importance, takes effect upon  
29 enactment.

30 DIVISION VIII

31 MENTAL HEALTH SERVICES

32 Sec. 32. Section 225C.6, subsection 1, paragraph k, Code  
33 Supplement 2011, is amended to read as follows:

34 k. Coordinate activities with the governor's developmental  
35 disabilities council and the mental health planning council,

1 created pursuant to federal law. The commission shall receive  
2 any official reports from the two councils and shall consider  
3 any recommendations made in the reports. The commission shall  
4 work with other state agencies on coordinating, collaborating,  
5 and communicating concerning activities involving persons with  
6 disabilities.

7 Sec. 33. Section 426B.5, subsection 2, paragraph c, Code  
8 Supplement 2011, is amended to read as follows:

9 c. A The mental health and disability services commission  
10 created in section 225C.5 shall serve as the risk pool board  
11 is created and shall fulfill the duties of the risk pool board  
12 in accordance with this section. ~~The board shall consist of~~  
13 ~~two county supervisors, two county auditors, a member of the~~  
14 ~~mental health and disability services commission who is not a~~  
15 ~~member of a county board of supervisors, a member of the county~~  
16 ~~finance committee created in chapter 333A who is not an elected~~  
17 ~~official, a representative of a provider of mental health or~~  
18 ~~developmental disabilities services selected from nominees~~  
19 ~~submitted by the Iowa association of community providers, and~~  
20 ~~two central point of coordination process administrators,~~  
21 ~~all appointed by the governor, and one member appointed by~~  
22 ~~the director of human services. All members appointed by~~  
23 ~~the governor shall be subject to confirmation by the senate.~~  
24 ~~Members shall serve for three-year terms. A vacancy shall~~  
25 ~~be filled in the same manner as the original appointment.~~  
26 ~~Expenses and other costs of the risk pool board members~~  
27 ~~representing counties shall be paid by the county of origin.~~  
28 ~~Expenses and other costs of risk pool board members who do~~  
29 ~~not represent counties shall be paid from a source determined~~  
30 ~~by the governor.~~ The mental health and disability services  
31 commission may appoint a risk pool advisory committee which may  
32 include the interests comprising the risk pool board under this  
33 section, Code 2011, to make recommendations to the commission  
34 regarding the risk pool board decisions and other functions  
35 required by this section. ~~Staff assistance to the~~ for risk

1 pool board decision making shall be provided by the department  
2 of human services and counties. Actuarial expenses and other  
3 direct administrative costs shall be charged to the pool.

4 DIVISION IX

5 ELECTRONIC COMMUNICATIONS

6 Sec. 34. Section 22.7, Code Supplement 2011, is amended by  
7 adding the following new subsection:

8 NEW SUBSECTION. 65. Electronic mail addresses of  
9 individuals collected by state departments and agencies for the  
10 purpose of electronic communications.

11 Sec. 35. STATE DEPARTMENT AND AGENCY LIMITATIONS ON  
12 MAIL. Notwithstanding any provision of the law to the  
13 contrary, a state department or agency shall provide  
14 departmental or agency notices or information through the  
15 department's or agency's internet site or through electronic  
16 mail to the fullest extent possible. This requirement shall  
17 not apply to department and agency communications required for  
18 purposes of pursuing legal action or to comply with federal  
19 law. Departments and agencies shall have rulemaking authority  
20 to implement this section and to collect electronic mail  
21 addresses for the purpose of electronic communications.

22 DIVISION X

23 STATE RECORDS

24 Sec. 36. Section 96.11, subsection 11, Code 2011, is amended  
25 to read as follows:

26 11. *Destruction of records.* The department may destroy  
27 or dispose of such original reports or records as have been  
28 properly recorded or summarized in the permanent records of  
29 the department and are deemed by the director and the ~~state~~  
30 ~~records commission~~ department of cultural affairs to be no  
31 longer necessary to the proper administration of this chapter.  
32 Wage records of the individual worker or transcripts therefrom  
33 may be destroyed or disposed of, if approved by the ~~state~~  
34 ~~records commission~~ department of cultural affairs, two years  
35 after the expiration of the period covered by such wage records

1 or upon proof of the death of the worker. Such destruction  
2 or disposition shall be made only by order of the director in  
3 consultation with the ~~state records commission~~ department of  
4 cultural affairs. Any moneys received from the disposition of  
5 such records shall be deposited to the credit of the employment  
6 security administration fund, subject to rules promulgated by  
7 the department.

8 Sec. 37. Section 305.2, subsection 2, Code 2011, is amended  
9 to read as follows:

10 2. "*Archives*" means records that have been appraised by  
11 the ~~state records commission~~ department as having sufficient  
12 historical, research, evidential, or informational value to  
13 warrant permanent preservation and that have been transferred  
14 to the custody of the state archives.

15 Sec. 38. Section 305.2, subsections 3 and 5, Code 2011, are  
16 amended by striking the subsections.

17 Sec. 39. Section 305.2, Code 2011, is amended by adding the  
18 following new subsection:

19 NEW SUBSECTION. 4A. "*Department*" means the department of  
20 cultural affairs.

21 Sec. 40. Section 305.2, subsection 10, Code 2011, is amended  
22 to read as follows:

23 10. "*Records series retention and disposition schedule*"  
24 means a timetable established by the ~~state records commission~~  
25 department that describes the length of time a records series  
26 of an agency or multiple agencies must be retained in active  
27 and inactive status and provides authorization for a final  
28 disposition of the records series by destruction or permanent  
29 retention.

30 Sec. 41. Section 305.4, unnumbered paragraph 1, Code 2011,  
31 is amended to read as follows:

32 The ~~commission~~ department shall adopt government information  
33 policies, standards, and guidelines to do all of the following:

34 Sec. 42. Section 305.8, subsection 1, unnumbered paragraph  
35 1, Code 2011, is amended to read as follows:

1     The ~~commission~~ department shall do all of the following:

2     Sec. 43. Section 305.8, subsection 1, Code 2011, is amended  
3 by adding the following new paragraph:

4     NEW PARAGRAPH. *0e.* Provide training, advice, and counsel  
5 to agencies on government information policies, standards, and  
6 guidelines.

7     Sec. 44. Section 305.8, subsection 1, Code 2011, is amended  
8 by adding the following new paragraphs:

9     NEW PARAGRAPH. *0f.* Develop and distribute operating  
10 procedures for agencies to use to implement the plans,  
11 policies, standards, and guidelines adopted by the department.

12     NEW PARAGRAPH. *00f.* Manage any centralized records storage  
13 facility established by the department for the temporary  
14 storage of agency records prior to their final disposition by  
15 destruction or permanent preservation in accordance with the  
16 records series retention and disposition schedules.

17     NEW PARAGRAPH. *000f.* Appoint a state archivist to head the  
18 state archives and records program.

19     NEW PARAGRAPH. *0000f.* Manage the state archives and develop  
20 operating procedures for the transfer, accession, arrangement,  
21 description, preservation, protection, and public access of  
22 those records the department identifies as having permanent  
23 value.

24     NEW PARAGRAPH. *00000f.* Maintain physical custody and legal  
25 custody of archives that have been transferred and delivered  
26 to the state archives.

27     (1) Upon receipt by the state archivist, the archives shall  
28 not be removed without the state archivist's consent except in  
29 response to a subpoena of a court of record or in accordance  
30 with approved records series retention and disposition  
31 schedules or after review and approval of the department.

32     (2) Upon request, the state archivist shall make a certified  
33 copy of any record in the legal custody or in the physical  
34 custody of the state archivist, or a certified transcript  
35 of any record if reproduction is inappropriate because of

1 legal or physical considerations. If a copy or transcript is  
2 properly authenticated, it has the same legal effect as though  
3 certified by the officer from whose office it was transferred  
4 or by the secretary of state. The department shall establish  
5 reasonable fees for certified copies or certified transcripts  
6 of records in the legal custody or physical custody of the  
7 state archivist.

8 NEW PARAGRAPH. *000000f.* Establish, maintain, and administer  
9 an archive of records created and maintained in electronic  
10 format in order to preserve and provide public access to state  
11 government records identified as having permanent historical  
12 value by the department.

13 Sec. 45. Section 305.8, subsection 1, Code 2011, is amended  
14 by adding the following new paragraph:

15 NEW PARAGRAPH. *0i.* Establish rates to be charged an agency  
16 by the department for storage and retention of records of  
17 the agency in a records storage facility maintained by the  
18 department. Rates established shall be reviewed annually by  
19 the department and shall be reasonably related to the cost of  
20 storing and retaining records of an agency.

21 Sec. 46. Section 305.8, subsection 2, unnumbered paragraph  
22 1, Code 2011, is amended to read as follows:

23 The ~~commission~~ department may do all of the following:

24 Sec. 47. Section 305.8, subsection 2, Code 2011, is amended  
25 by adding the following new paragraph:

26 NEW PARAGRAPH. *0g.* Upon written consent of the state  
27 archivist, accept records of political subdivisions that are  
28 voluntarily transferred to the state archives.

29 Sec. 48. Section 305.8, subsection 2, paragraph e, Code  
30 2011, is amended to read as follows:

31 *e.* Make, or cause to be made, preservation duplicates of  
32 records, which may include existing copies of original state  
33 records. Any preservation duplicate record shall be durable,  
34 accurate, complete, and clear, and shall be made by means  
35 designated by the ~~commission~~ department.



1     Sec. 49. NEW SECTION. 305.8A Records retention and storage  
2 costs — billing — internal service fund.

3     1. The department may bill an agency for records storage  
4 and retention services rendered by the department pursuant to  
5 the rates established by the department for these services.  
6 The department shall periodically render a billing statement  
7 to an agency outlining the cost of services provided. The  
8 amount indicated on the statement shall be paid by the agency  
9 and amounts received by the department shall be considered  
10 repayment receipts as defined in section 8.2, and deposited  
11 into the accounts of the department.

12     2. *a.* The department may establish and maintain an internal  
13 service fund in accordance with generally accepted accounting  
14 principles, as defined in section 8.57, for the records storage  
15 and retention activities of the department which are primarily  
16 funded from billings to agencies for services rendered by the  
17 department.

18     *b.* The internal service fund shall be administered by  
19 the department and shall consist of moneys collected by the  
20 department from billings issued in accordance with this section  
21 and any other moneys obtained or accepted by the department,  
22 including but not limited to gifts, loans, donations, grants,  
23 and contributions, which are designated to support the  
24 activities of the internal service fund.

25     *c.* The proceeds of the internal service fund established  
26 pursuant to this section shall be used by the department  
27 for the operations of the department in records storage and  
28 retention consistent with this chapter.

29     *d.* Section 8.33 does not apply to any moneys in the  
30 internal service fund established pursuant to this section.  
31 Notwithstanding section 12C.7, subsection 2, interest or  
32 earnings on moneys deposited in the fund shall be credited to  
33 the fund.

34     *e.* The director of the department shall annually provide  
35 financial information and reports relative to the internal

1 service fund established pursuant to this section to the  
2 department of management and the general assembly. The  
3 information provided may include the recommendation that a  
4 portion of unexpended net income be periodically returned to  
5 the appropriate funding source.

6 Sec. 50. Section 305.10, subsection 1, paragraphs c, d, e,  
7 f, and j, Code 2011, are amended to read as follows:

8 c. Cooperate with the ~~state records commission~~ department  
9 and the state archives and records program in the development  
10 and implementation of government information policies,  
11 standards, and guidelines, and in the development and  
12 implementation of records series retention and disposition  
13 schedules.

14 d. Comply with requests from the ~~state records commission~~  
15 ~~or~~ department and the state archives and records program to  
16 examine records in the possession, constructive possession, or  
17 control of the agency in order to carry out the purposes of  
18 this chapter.

19 e. Inventory agency records in accordance with ~~state~~  
20 ~~records commission~~ department policies to draft records series  
21 retention and disposition schedules.

22 f. Identify vital operating records in accordance with  
23 the policies, standards, and guidelines of the ~~state records~~  
24 ~~commission~~ department.

25 j. Provide for compliance with this chapter and the rules  
26 adopted by the ~~state records commission~~ department.

27 Sec. 51. Section 305.10, subsection 2, Code 2011, is amended  
28 to read as follows:

29 2. Agency heads may petition the ~~state records commission~~  
30 department to create or modify government information policies,  
31 standards, and guidelines, and to create or modify records  
32 series retention and disposition schedules.

33 Sec. 52. Section 305.11, Code 2011, is amended to read as  
34 follows:

35 **305.11 Termination of state agency — records transfer.**

1 Upon the termination of a state agency whose functions have  
2 not been transferred to another agency, custody of the records  
3 of the agency shall transfer to the ~~commission~~ department.

4 Sec. 53. Section 305.14, Code 2011, is amended to read as  
5 follows:

6 **305.14 Liability precluded.**

7 No ~~member~~ employee of the ~~commission~~ department or head of  
8 an agency shall be held liable for damages or loss, or civil  
9 or criminal liability, because of the destruction of public  
10 records pursuant to the provisions of this chapter or any other  
11 law authorizing their destruction.

12 Sec. 54. Section 305.15, Code 2011, is amended to read as  
13 follows:

14 **305.15 Exemptions — duties of state department of  
15 transportation and state board of regents.**

16 The state department of transportation and the agencies and  
17 institutions under the control of the state board of regents  
18 are exempt from the state records manual and the provisions of  
19 this chapter. However, the state department of transportation  
20 and the state board of regents shall adopt rules pursuant to  
21 chapter 17A for their employees, agencies, and institutions  
22 that are consistent with the objectives of this chapter.  
23 The rules shall be approved by the ~~state records commission~~  
24 department.

25 Sec. 55. Section 305.16, subsection 6, paragraph b,  
26 subparagraph (1), Code 2011, is amended to read as follows:

27 (1) Serve in an advisory capacity to the ~~state records~~  
28 ~~commission~~ department, the state archives and records program,  
29 and other statewide archival or records agencies.

30 Sec. 56. Section 321.31, subsection 1, paragraph b, Code  
31 2011, is amended to read as follows:

32 *b.* The department may make photostatic, microfilm, or other  
33 photographic copies of certificates of title, registration  
34 receipts, or other records, reports or documents which are  
35 required to be retained by the department. When copies have

1 been made, the department may destroy the original records in  
 2 such manner as prescribed by the director. The photostatic,  
 3 microfilm, or other photographic copies, when no longer of use,  
 4 may be destroyed in the manner prescribed by the director,  
 5 subject to the approval of the ~~state records commission~~  
 6 department of cultural affairs. Photostatic, microfilm, or  
 7 other photographic copies of records shall be admissible in  
 8 evidence when duly certified and authenticated by the officer  
 9 having custody and control of the copies of records. Records  
 10 of vehicle certificates of title may be destroyed seven years  
 11 after the date of issue.

12 Sec. 57. REPEAL. Sections 305.3, 305.5, 305.6, 305.7, and  
 13 305.9, Code 2011, are repealed.

14 Sec. 58. IOWA BUILDING — CENTRALIZED RECORDS STORAGE  
 15 FACILITY. The department of cultural affairs shall utilize the  
 16 Iowa building as the centralized records storage facility for  
 17 records received by the department upon the conclusion of the  
 18 existing lease for the building currently utilized for this  
 19 purpose. The department, in collaboration with the department  
 20 of administrative services, shall conduct an assessment of the  
 21 Iowa building and shall identify space within the building  
 22 that can be utilized for this purpose. If modifications  
 23 or renovations to the Iowa building are necessary for the  
 24 department to utilize space in the building for a centralized  
 25 records storage facility, the department, in collaboration with  
 26 the department of administrative services, shall determine the  
 27 estimated cost of the modifications or renovations needed and  
 28 shall provide this information to the general assembly.

29 Sec. 59. ADMINISTRATIVE RULES — TRANSITION PROVISIONS.

30 1. Any rule, regulation, form, order, or directive  
 31 promulgated by the state records commission relative to the  
 32 provisions of this Act in existence on the effective date of  
 33 this division of this Act shall continue in full force and  
 34 effect until amended, repealed, or supplemented by affirmative  
 35 action of the department of cultural affairs under the duties

1 and powers established in this division of this Act and under  
2 the procedure established in subsection 2.

3 2. In regard to updating references and format in the Iowa  
4 administrative code in order to correspond to the transferring  
5 of duties as established in this division of this Act, the  
6 administrative rules coordinator and the administrative rules  
7 review committee, in consultation with the administrative code  
8 editor, shall jointly develop a schedule for the necessary  
9 updating of the Iowa administrative code.

10

DIVISION XI

11

LOCAL GOVERNMENT

12 Sec. 60. Section 39.2, subsection 4, paragraph c, Code 2011,  
13 is amended to read as follows:

14 c. For a school district or merged area, in the odd-numbered  
15 year, the first Tuesday in February, the first Tuesday in  
16 April, the last Tuesday in June, or the ~~second~~ first Tuesday  
17 ~~in September~~ after the first Monday in November. For a school  
18 district or merged area, in the even-numbered year, the first  
19 Tuesday in February, the first Tuesday in April, the second  
20 Tuesday in September, or the first Tuesday in December.

21 Sec. 61. Section 260C.12, subsection 1, Code 2011, is  
22 amended to read as follows:

23 1. The board of directors of the merged area shall organize  
24 at the first regular meeting in ~~October~~ December following the  
25 regular school election. Organization of the board shall be  
26 effected by the election of a president and other officers from  
27 the board membership as board members determine. The board  
28 of directors shall appoint a secretary and a treasurer who  
29 shall each give bond as prescribed in section 291.2 and who  
30 shall each receive the salary determined by the board. The  
31 secretary and treasurer shall perform duties under chapter 291  
32 and additional duties the board of directors deems necessary.  
33 However, the board may appoint one person to serve as the  
34 secretary and treasurer. If one person serves as the secretary  
35 and treasurer, only one bond is necessary for that person. The

1 frequency of meetings other than organizational meetings shall  
2 be as determined by the board of directors but the president  
3 or a majority of the members may call a special meeting at any  
4 time.

5 Sec. 62. Section 260C.13, subsection 1, Code 2011, is  
6 amended to read as follows:

7 1. The board of a merged area may change the number of  
8 directors on the board and shall make corresponding changes  
9 in the boundaries of director districts. Changes shall be  
10 completed not later than ~~June~~ August 1 of the year of the  
11 regular school election. As soon as possible after adoption  
12 of the boundary changes, notice of changes in the director  
13 district boundaries shall be submitted by the merged area to  
14 the county commissioner of elections in all counties included  
15 in whole or in part in the merged area.

16 Sec. 63. Section 273.8, subsection 2, paragraphs a and b,  
17 Code 2011, are amended to read as follows:

18 a. Notice of the election shall be published by the area  
19 education agency administrator not later than ~~July~~ September 15  
20 of the odd-numbered year in at least one newspaper of general  
21 circulation in the director district. The cost of publication  
22 shall be paid by the area education agency.

23 b. A candidate for election to the area education agency  
24 board shall file a statement of candidacy with the area  
25 education agency secretary not later than ~~August~~ October 15 of  
26 the odd-numbered year, on forms prescribed by the department  
27 of education. The statement of candidacy shall include the  
28 candidate's name, address, and school district. The list of  
29 candidates shall be sent by the secretary of the area education  
30 agency in ballot form by certified mail to the presidents of  
31 the boards of directors of all school districts within the  
32 director district not later than ~~September~~ November 1. In  
33 order for the ballot to be counted, the ballot must be received  
34 in the secretary's office by the end of the normal business  
35 day on ~~September~~ November 30 or be clearly postmarked by an

1 officially authorized postal service not later than ~~September~~  
2 November 29 and received by the secretary not later than noon  
3 on the first Monday following ~~September~~ November 30.

4 Sec. 64. Section 273.8, subsection 4, paragraph a, Code  
5 2011, is amended to read as follows:

6 a. The board of directors of each area education agency  
7 shall meet and organize at the first regular meeting in ~~October~~  
8 December following the regular school election at a suitable  
9 place designated by the president. Directors whose terms  
10 commence at the organizational meeting shall qualify by taking  
11 the oath of office required by section 277.28 at or before the  
12 organizational meeting.

13 Sec. 65. Section 273.8, subsection 6, Code 2011, is amended  
14 to read as follows:

15 6. *Change in directors.* The board of an area education  
16 agency may change the number of directors on the board and  
17 shall make corresponding changes in the boundaries of director  
18 districts. Changes shall be completed not later than ~~July~~  
19 September 1 of a ~~fiscal~~ the odd-numbered year for the director  
20 district conventions to be held the following ~~September~~  
21 November.

22 Sec. 66. Section 277.1, Code 2011, is amended to read as  
23 follows:

24 **277.1 Regular election.**

25 The regular election shall be held biennially on the ~~second~~  
26 first Tuesday in ~~September~~ after the first Monday in November  
27 of each odd-numbered year in each school district for the  
28 election of officers of the district and merged area and for  
29 the purpose of submitting to the voters any matter authorized  
30 by law.

31 Sec. 67. Section 277.20, Code 2011, is amended to read as  
32 follows:

33 **277.20 Canvassing returns.**

34 ~~On the next Friday after~~ After the regular school election,  
35 the county board of supervisors shall canvass the returns

1 made to the county commissioner of elections from the several  
2 precinct polling places and the absentee ballot counting board,  
3 ascertain the result of the voting with regard to every matter  
4 voted upon and cause a record to be made thereof, all as  
5 required by section 50.24. Special elections held in school  
6 districts shall be canvassed at the time and in the manner  
7 required by that section. The board shall declare the results  
8 of the voting for members of boards of directors of school  
9 corporations nominated pursuant to section 277.4, and the  
10 commissioner shall at once issue a certificate of election to  
11 each person declared elected. The board shall also declare the  
12 results of the voting on any public question submitted to the  
13 voters of a single school district, and the commissioner shall  
14 certify the result as required by section 50.27.

15 The abstracts of the votes cast for members of the board  
16 of directors of any merged area, and of the votes cast on any  
17 public question submitted to the voters of any merged area,  
18 shall be promptly certified by the commissioner to the county  
19 commissioner of elections who is responsible under section 47.2  
20 for conducting the elections held for that merged area.

21 Sec. 68. EFFECTIVE DATE. This division of this Act takes  
22 effect January 1, 2014.

23 DIVISION XII

24 LOCAL GOVERNMENTS — ELECTRONIC PAYMENT

25 Sec. 69. LOCAL GOVERNMENTS — ELECTRONIC PAYMENT. Local  
26 governments shall encourage persons to pay fees and taxes  
27 collected by local governments by credit or debit card or  
28 other electronic means of payment. In authorizing payment  
29 by electronic means, a local government shall seek to reduce  
30 convenience or other handling fees charged by the local  
31 government if electronic means of payment are used. Handling  
32 or other fees charged should be limited to the actual cost of  
33 authorizing that means of payment and should not be utilized to  
34 raise additional revenue.

35 DIVISION XIII



1 COMMODITY ORGANIZATION AUDITS

2 Sec. 70. Section 182.18, subsection 1, Code 2011, is amended  
3 to read as follows:

4 1. Moneys collected under this chapter are subject to audit  
5 by the auditor of state and shall be used by the Iowa sheep and  
6 wool promotion board first for the payment of collection and  
7 refund expenses, second for payment of the costs and expenses  
8 arising in connection with conducting referendums, and third  
9 for the purposes identified in section 182.11, ~~and fourth for~~  
10 ~~the cost of audits for the auditor of state.~~ Moneys of the  
11 board remaining after a referendum is held at which a majority  
12 of the voters favor termination of the board and the assessment  
13 shall continue to be expended in accordance with this chapter  
14 until exhausted. ~~The auditor of state may seek reimbursement~~  
15 ~~for the cost of the audit.~~

16 Sec. 71. Section 184.14, subsection 2, Code 2011, is amended  
17 to read as follows:

18 2. Moneys collected, deposited in the fund, and transferred  
19 to the council as provided in this chapter are subject to  
20 audit by the auditor of state. ~~The auditor of state may~~  
21 ~~seek reimbursement for the cost of the audit.~~ The moneys  
22 transferred to the council shall be used by the council first  
23 for the payment of collection expenses, second for payment of  
24 the costs and expenses arising in connection with conducting  
25 referendums, and third to perform the functions and carry out  
26 the duties of the council as provided in this chapter, ~~and~~  
27 ~~fourth for the cost of audits by the auditor of state.~~ Moneys  
28 remaining after the council is abolished and the imposition of  
29 an assessment is terminated pursuant to a referendum conducted  
30 pursuant to section 184.5 shall continue to be expended in  
31 accordance with this chapter until exhausted.

32 Sec. 72. Section 184A.6, subsection 2, Code 2011, is amended  
33 to read as follows:

34 2. The council shall expend moneys from the account first  
35 for the payment of expenses for the collection of assessments,

1 ~~second and then~~ for the payment of expenses related to  
2 conducting a referendum as provided in section 184A.12,  
3 ~~and third for the cost of audits by the auditor of state as~~  
4 ~~required in section 184A.9.~~ The council shall expend remaining  
5 moneys for market development, producer education, and the  
6 payment of refunds to producers as provided in this chapter.

7 Sec. 73. Section 184A.9, Code 2011, is amended to read as  
8 follows:

9 **184A.9 Audit.**

10 Moneys required to be deposited in the turkey council  
11 account as provided in section 184A.4 shall be subject to  
12 audit by the auditor of state. ~~The auditor of state may seek~~  
13 ~~reimbursement for the cost of the audit from moneys deposited~~  
14 ~~in the turkey council account.~~

15 Sec. 74. Section 185C.26, Code 2011, is amended to read as  
16 follows:

17 **185C.26 Deposit of moneys — corn promotion fund.**

18 A state assessment collected by the board from a sale of corn  
19 shall be deposited in the office of the treasurer of state in  
20 a special fund known as the corn promotion fund. The fund may  
21 include any gifts, rents, royalties, interest, license fees,  
22 or a federal or state grant received by the board. Moneys  
23 collected, deposited in the fund, and transferred to the board  
24 as provided in this chapter shall be subject to audit by the  
25 auditor of state. ~~The auditor of state may seek reimbursement~~  
26 ~~for the cost of the audit from moneys deposited in the fund as~~  
27 ~~provided in this chapter.~~ The department of administrative  
28 services shall transfer moneys from the fund to the board  
29 for deposit into an account established by the board in a  
30 qualified financial institution. The department shall transfer  
31 the moneys as provided in a resolution adopted by the board.  
32 However, the department is only required to transfer moneys  
33 once during each day and only during hours when the offices of  
34 the state are open. From moneys collected, the board shall  
35 first pay all the direct and indirect costs incurred by the

1 secretary and the costs of referendums, elections, and other  
2 expenses incurred in the administration of this chapter, before  
3 moneys may be expended for the purpose of carrying out the  
4 purposes of this chapter as provided in section 185C.11.

5 Sec. 75. EFFECTIVE UPON ENACTMENT. This division of this  
6 Act, being deemed of immediate importance, takes effect upon  
7 enactment.

8 DIVISION XIV

9 ONGOING PROGRAM REVIEW

10 Sec. 76. NEW SECTION. 8.71 Ongoing program review — repeal  
11 dates.

12 1. The general assembly finds that a regular review of  
13 the programs and projects administered by state government is  
14 necessary to determine whether each program and project is  
15 effectively and efficiently meeting the needs for which created  
16 and whether the needs remain applicable. The general assembly  
17 further finds that a regular, systematic review process can  
18 identify the programs and projects that are no longer relevant  
19 or functioning at a desirable level and can eliminate or  
20 reorganize those programs and projects so that state resources  
21 can be used most effectively or diverted to other priorities.

22 2. The state government efficiency review committee  
23 established in section 2.69 shall propose legislation for  
24 consideration by the Eighty-fifth General Assembly, 2014  
25 session, providing a staggered schedule for establishing an  
26 automatic repeal date for each program or project administered  
27 by a department of state government over the succeeding  
28 five-year period. The review committee shall consult with  
29 the office of the governor and the department of management  
30 in formulating the staggered schedule and the office and  
31 department shall cooperate in providing necessary information  
32 requested by the committee. The repeal date provisions shall  
33 be implemented in a manner so that any program or project that  
34 is reauthorized by law is again subject to automatic repeal  
35 five years after reauthorization.

DIVISION XV

IOWA JOBS BOARD

1  
2  
3 Sec. 77. Section 12.87, subsection 12, Code Supplement  
4 2011, is amended to read as follows:

5 12. Neither the treasurer of state, the Iowa ~~jobs board~~  
6 finance authority, nor any person acting on behalf of the  
7 treasurer of state or the Iowa ~~jobs board~~ finance authority  
8 while acting within the scope of their employment or agency, is  
9 subject to personal liability resulting from carrying out the  
10 powers and duties conferred by this section and sections 12.88  
11 through 12.90.

12 Sec. 78. Section 16.193, subsection 1, Code Supplement  
13 2011, is amended to read as follows:

14 ~~1. The Iowa finance authority, subject to approval by the~~  
15 ~~Iowa jobs board,~~ shall adopt administrative rules pursuant to  
16 chapter 17A necessary to administer the Iowa jobs program and  
17 Iowa jobs II program. The authority shall ~~provide the board~~  
18 ~~with assistance in implementing administrative functions, be~~  
19 responsible for providing technical assistance and application  
20 assistance to applicants under the programs, negotiating  
21 contracts, and providing project follow up. ~~The authority, in~~  
22 ~~cooperation with the board, may conduct negotiations on behalf~~  
23 ~~of the board with applicants regarding terms and conditions~~  
24 ~~applicable to awards under the program.~~

25 Sec. 79. Section 16.194, subsection 2, Code 2011, is amended  
26 to read as follows:

27 2. A city or county or a public organization in this  
28 state may submit an application to the Iowa ~~jobs board~~  
29 authority for financial assistance for a local infrastructure  
30 competitive grant for an eligible project under the program,  
31 notwithstanding any limitation on the state's percentage in  
32 funding as contained in section 29C.6, subsection 17.

33 Sec. 80. Section 16.194, subsection 4, unnumbered paragraph  
34 1, Code 2011, is amended to read as follows:

35 The ~~board~~ authority shall consider the following criteria in

1 evaluating eligible projects to receive financial assistance  
2 under the program:

3 Sec. 81. Section 16.194, subsection 7, Code 2011, is amended  
4 to read as follows:

5 7. In order for a project to be eligible to receive  
6 financial assistance from the ~~board~~ authority, the project  
7 must be a public construction project pursuant to subsection 1  
8 with a demonstrated substantial local, regional, or statewide  
9 economic impact.

10 Sec. 82. Section 16.194, subsection 8, unnumbered paragraph  
11 1, Code 2011, is amended to read as follows:

12 The ~~board~~ authority shall not approve an application for  
13 assistance for any of the following purposes:

14 Sec. 83. Section 16.194, subsection 9, paragraph b, Code  
15 2011, is amended to read as follows:

16 b. Any portion of an amount allocated for projects  
17 that remains unexpended or unencumbered one year after the  
18 allocation has been made may be reallocated to another project  
19 category, at the discretion of the ~~board~~ authority. The ~~board~~  
20 authority shall ensure that all bond proceeds be expended  
21 within three years from when the allocation was initially made.

22 Sec. 84. Section 16.194, subsection 10, Code 2011, is  
23 amended to read as follows:

24 10. The ~~board~~ authority shall ensure that funds obligated  
25 under this section are coordinated with other federal program  
26 funds received by the state, and that projects receiving funds  
27 are located in geographically diverse areas of the state.

28 Sec. 85. Section 16.194A, subsections 2, 7, 9, and 10, Code  
29 2011, are amended to read as follows:

30 2. A city or county in this state that applies the smart  
31 planning principles and guidelines pursuant to sections 18B.1  
32 and 18B.2 may submit an application to the ~~Iowa jobs board~~  
33 authority for financial assistance for a local infrastructure  
34 competitive grant for an eligible project under the program,  
35 notwithstanding any limitation on the state's percentage in

1 funding as contained in section 29C.6, subsection 17.

2 7. In order for a project to be eligible to receive  
3 financial assistance from the ~~board~~ authority, the project  
4 must be a public construction project pursuant to subsection 1  
5 with a demonstrated substantial local, regional, or statewide  
6 economic impact.

7 9. Any portion of an amount allocated for projects  
8 that remains unexpended or unencumbered one year after the  
9 allocation has been made may be reallocated to another project  
10 category, at the discretion of the ~~board~~ authority. The ~~board~~  
11 authority shall ensure that all bond proceeds be expended  
12 within three years from when the allocation was initially made.

13 10. The ~~board~~ authority shall ensure that funds obligated  
14 under this section are coordinated with other federal program  
15 funds received by the state, and that projects receiving funds  
16 are located in geographically diverse areas of the state.

17 Sec. 86. Section 16.194A, subsection 4, unnumbered  
18 paragraph 1, Code 2011, is amended to read as follows:

19 The ~~board~~ authority shall consider the following criteria in  
20 evaluating eligible projects to receive financial assistance  
21 under the program:

22 Sec. 87. Section 16.194A, subsection 8, unnumbered  
23 paragraph 1, Code 2011, is amended to read as follows:

24 The ~~board~~ authority shall not approve an application for  
25 assistance for any of the following purposes:

26 Sec. 88. Section 16.195, Code Supplement 2011, is amended  
27 to read as follows:

28 **16.195 Iowa jobs program application review.**

29 1. Applications for assistance under the Iowa jobs program  
30 and Iowa jobs II program shall be submitted to the ~~Iowa finance~~  
31 authority for review and approval. ~~The authority shall provide~~  
32 ~~a staff review and evaluation of applications to the Iowa jobs~~  
33 ~~program review committee referred to in subsection 2 and to the~~  
34 ~~Iowa jobs board.~~

35 2. ~~A review committee composed of members of the board~~

1 ~~as determined by the board shall review Iowa jobs program~~  
2 ~~applications submitted to the board and make recommendations~~  
3 ~~regarding the applications to the board.~~ When reviewing the  
4 applications, the ~~review committee and the~~ authority shall  
5 consider the project criteria specified in sections 16.194 and  
6 16.194A. The ~~board~~ authority shall develop the appropriate  
7 level of transparency regarding project fund allocations.

8 3. Upon approval of an application for financial assistance  
9 under the program, the ~~board~~ authority shall notify the  
10 treasurer of state regarding the amount of moneys needed to  
11 satisfy the award of financial assistance and the terms of the  
12 award. The treasurer of state shall notify the ~~Iowa finance~~  
13 authority any time moneys are disbursed to a recipient of  
14 financial assistance under the program.

15 Sec. 89. Section 16.196, Code 2011, is amended to read as  
16 follows:

17 **16.196 Iowa jobs ~~restricted capitals fund~~ — appropriations.**

18 ~~1. An Iowa jobs restricted capitals fund is created and~~  
19 ~~established as a separate and distinct fund in the state~~  
20 ~~treasury. The fund consists of moneys appropriated from~~  
21 ~~the revenue bonds capitals fund created in section 12.88.~~  
22 ~~The moneys in the fund are appropriated to the Iowa jobs~~  
23 ~~board for purposes of the Iowa jobs program established in~~  
24 ~~section 16.194. Moneys in the fund shall not be subject to~~  
25 ~~appropriation for any other purpose by the general assembly,~~  
26 ~~but shall be used only for the purposes of the Iowa jobs~~  
27 ~~program. The treasurer of state shall act as custodian of the~~  
28 ~~fund and disburse moneys contained in the fund. The fund shall~~  
29 ~~be administered by the board which shall make allocations from~~  
30 ~~the fund consistent with the purposes of the Iowa jobs program.~~

31 ~~2. 1. There is appropriated from the revenue bonds capitals~~  
32 ~~fund created in section 12.88, to the Iowa jobs ~~restricted~~~~  
33 ~~capitals fund, for the fiscal year beginning July 1, 2009, and~~  
34 ~~ending June 30, 2010, one hundred sixty-five million dollars to~~  
35 ~~be allocated as follows:~~

1     *a.* One hundred eighteen million five hundred thousand  
2 dollars for competitive grants for local infrastructure  
3 projects relating to disaster rebuilding, reconstruction  
4 and replacement of local buildings, flood control and flood  
5 protection, and future flood prevention public projects. An  
6 applicant for a local infrastructure grant shall not receive  
7 more than fifty million dollars in financial assistance from  
8 the fund.

9     *b.* Forty-six million five hundred thousand dollars for  
10 disaster relief and mitigation and local infrastructure  
11 grants for the following renovation and construction projects,  
12 notwithstanding any limitation on the state's percentage  
13 participation in funding as contained in section 29C.6,  
14 subsection 17:

15     (1) For grants to a county with a population between  
16 one hundred eighty-nine thousand and one hundred ninety-six  
17 thousand in the latest preceding certified federal census, to  
18 be distributed as follows:

19     (a) Ten million dollars for the construction of a new,  
20 shared facility between nonprofit human service organizations  
21 serving the public, especially the needs of low-income Iowans,  
22 including those displaced as a result of the disaster of 2008.

23     (b) Five million dollars for the construction or renovation  
24 of a facility for a county-funded workshop program serving  
25 the public and particularly persons with mental illness or  
26 developmental disabilities.

27     (2) For grants to a city with a population between one  
28 hundred ten thousand and one hundred twenty thousand in the  
29 latest preceding certified federal census, to be distributed  
30 as follows:

31     (a) Five million dollars for an economic redevelopment  
32 project benefiting the public by improving energy efficiency  
33 and the development of alternative and renewable energy  
34 technologies.

35     (b) Ten million dollars for a museum serving the public and



1 dedicated to the preservation of an eastern European cultural  
2 heritage through the collection, exhibition, preservation, and  
3 interpretation of historical artifacts.

4 (c) Five million dollars for a theater serving the public  
5 and promoting culture, entertainment, and tourism.

6 (d) Five million dollars for a public library.

7 (e) Five million dollars for a public works building.

8 (3) One million five hundred thousand dollars, to be  
9 distributed as follows:

10 (a) Five hundred thousand dollars to a city with a  
11 population between six hundred and six hundred fifty in the  
12 latest preceding certified federal census, for a public fire  
13 station.

14 (b) Five hundred thousand dollars to a city with a  
15 population between one thousand four hundred and one thousand  
16 five hundred in the latest preceding certified federal census,  
17 for a public fire station.

18 (c) Five hundred thousand dollars for a city with a  
19 population between seven thousand eight hundred and seven  
20 thousand eight hundred fifty, for a public fire station.

21 ~~3.~~ 2. Grant awards for a project under subsection 2,  
22 paragraph "b", are contingent upon submission of a plan for  
23 each project by the applicable county or city governing board  
24 or in the case of a project submitted pursuant to subsection  
25 2, paragraph "b", subparagraph (2), subparagraph division (b),  
26 by the board of directors, to the ~~Iowa jobs board~~ authority,  
27 no later than September 1, 2009, detailing a description of  
28 the project, the plan to rebuild, and the amount or percentage  
29 of federal, state, local, or private matching moneys which  
30 will be or have been provided for the project. Funds not  
31 utilized in accordance with subsection 2, paragraph "b", due  
32 to failure to file a plan by the September 1 deadline shall  
33 revert to the ~~Iowa jobs restricted~~ revenue bonds capitals fund  
34 to be available for local infrastructure competitive grants. A  
35 grant recipient under subsection 2, paragraph "b", shall not be

1 precluded from applying for a local infrastructure competitive  
2 grant pursuant to this section and section 16.195.

3 ~~4. Moneys in the fund are not subject to section 8.33.~~  
4 ~~Notwithstanding section 12C.7, subsection 2, interest or~~  
5 ~~earnings on moneys in the fund shall be credited to the fund.~~

6 ~~5.~~ 3. Annually, on or before January 15 of each year, the  
7 ~~board~~ authority shall report to the legislative services agency  
8 and the department of management the status of all projects  
9 receiving moneys from the fund completed or in progress. The  
10 report shall include a description of the project, the progress  
11 of work completed, the total estimated cost of the project, a  
12 list of all revenue sources being used to fund the project, the  
13 amount of funds expended, the amount of funds obligated, and  
14 the date the project was completed or an estimated completion  
15 date of the project, where applicable.

16 ~~6.~~ 4. Payment of moneys appropriated from the fund shall be  
17 made in a manner that does not adversely affect the tax-exempt  
18 status of any outstanding bonds issued by the treasurer of  
19 state.

20 Sec. 90. Section 16.197, Code 2011, is amended to read as  
21 follows:

22 **16.197 Limitation of liability.**

23 ~~A member of the Iowa jobs board, a person acting on behalf of~~  
24 ~~the board while acting within the scope of their employment or~~  
25 ~~agency,~~ The authority or the treasurer of state, shall not be  
26 subject to personal liability resulting from carrying out the  
27 powers and duties of the ~~board~~ authority or the treasurer, as  
28 applicable, in sections ~~16.192~~ 16.193 through 16.196.

29 Sec. 91. IOWA JOBS BOARD — TRANSITION PROVISIONS —  
30 LIMITATION OF LIABILITY.

31 1. Any contract or agreement issued or entered into by the  
32 Iowa jobs board relating to the provisions of this division  
33 of this Act, in effect on the effective date of this division  
34 of this Act, shall continue in full force and effect and  
35 any responsibility of the board relative to the contracts or

1 agreements as provided in those contracts or agreements shall  
2 be transferred to the Iowa finance authority.

3 2. A member of the Iowa jobs board or a person acting on  
4 behalf of the board while acting within the scope of that  
5 person's employment or agency shall not be subject to personal  
6 liability resulting from carrying out the powers and duties  
7 of the board prior to the effective date of this division of  
8 this Act, as applicable, in sections 12.87 through 12.90 and in  
9 sections 16.192 through 16.196, Code and Code Supplement 2011.

10 Sec. 92. REPEAL. Sections 16.191 and 16.192, Code  
11 Supplement 2011, are repealed.

12 DIVISION XVI

13 BOARDS AND COMMISSIONS

14 Sec. 93. Section 34A.2A, subsection 2, Code 2011, is amended  
15 to read as follows:

16 2. The E911 program manager shall act under the supervisory  
17 control of the administrator of the homeland security and  
18 emergency management division of the department of public  
19 defense, and in consultation with the ~~E911 communications~~  
20 ~~council~~ state interoperable communications system board  
21 established in section 80.28, and perform the duties  
22 specifically set forth in this chapter and as assigned by the  
23 administrator.

24 Sec. 94. Section 34A.7A, subsection 2, paragraph h, Code  
25 2011, is amended to read as follows:

26 h. The administrator, in consultation with the program  
27 manager and the ~~E911 communications council~~ state interoperable  
28 communications system board established in section 80.28, shall  
29 adopt rules pursuant to chapter 17A governing the distribution  
30 of the surcharge collected and distributed pursuant to this  
31 subsection. The rules shall include provisions that all joint  
32 E911 service boards and the department of public safety which  
33 answer or service wireless E911 calls are eligible to receive  
34 an equitable portion of the receipts.

35 Sec. 95. Section 80.29, Code 2011, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. 12A. Advise and make recommendations  
3 to the administrator of the homeland security and emergency  
4 management division of the department of public defense and  
5 the E911 program manager appointed pursuant to section 34A.2A  
6 regarding the implementation of chapter 34A. Such advice and  
7 recommendations shall be provided on issues at the request of  
8 the administrator or program manager or as deemed necessary  
9 by the board. However, the authority of the board as to this  
10 duty is limited to the issues specifically identified in this  
11 subsection and does not preempt the authority of the utilities  
12 board, created in section 474.1, to act on issues within the  
13 jurisdiction of the utilities board.

14 Sec. 96. Section 190A.3, subsection 4, Code 2011, is amended  
15 to read as follows:

16 4. The ~~farm-to-school council~~ department of agriculture and  
17 land stewardship and the department of education shall actively  
18 seek financial or in-kind contributions from organizations or  
19 persons to support the program.

20 Sec. 97. Section 256.9, subsection 55, paragraph j, Code  
21 Supplement 2011, is amended by striking the paragraph.

22 Sec. 98. REPEAL. Section 34A.15, Code Supplement 2011, is  
23 repealed.

24 Sec. 99. REPEAL. Section 190A.2, Code 2011, is repealed.

25 DIVISION XVII

26 OBSOLETE PROVISIONS

27 Sec. 100. Section 84A.5, subsection 7, paragraphs a and c,  
28 Code Supplement 2011, are amended by striking the paragraphs.

29 Sec. 101. Section 97B.1A, subsection 8, paragraph b,  
30 subparagraph (8), Code Supplement 2011, is amended by striking  
31 the subparagraph.

32 Sec. 102. REPEAL. Sections 84A.7, 84A.9, 84A.10, 303.3E,  
33 and 303.17, Code 2011, are repealed.

34 Sec. 103. REPEAL. Section 15.112, Code Supplement 2011, is  
35 repealed.

1 Sec. 104. REPEAL. Chapters 15C, 15D, and 28K, Code 2011,  
2 are repealed.

3

DIVISION XVIII

4

POLLUTION PREVENTION AND WASTE MANAGEMENT ASSISTANCE

5

Sec. 105. Section 455B.481, subsections 1 through 3, Code  
6 2011, are amended to read as follows:

7 1. The purpose of this part is to promote the proper and  
8 ~~safe storage, treatment, and disposal~~ management of solid,  
9 hazardous, and low-level radioactive wastes in Iowa. The  
10 ~~management of these wastes generated within Iowa is the~~  
11 ~~responsibility of Iowans. It is the intent of the general~~  
12 ~~assembly that Iowans assume this responsibility to the extent~~  
13 ~~consistent with the protection of public health, safety, and~~  
14 ~~the environment, and that Iowans insure that waste management~~  
15 ~~practices, as alternatives to land disposal, including source~~  
16 ~~reduction, recycling, compaction, incineration, and other forms~~  
17 ~~of waste reduction, are employed.~~

18 2. ~~It is also the intent of the general assembly that a~~  
19 ~~comprehensive waste management plan be established by the~~  
20 ~~department which includes: the determination of need and~~  
21 ~~adequate regulatory controls prior to the initiation of site~~  
22 ~~selection; the process for selecting a superior site determined~~  
23 ~~to be necessary; the establishment of a process for a site~~  
24 ~~community to submit or present data, views, or arguments~~  
25 ~~regarding the selection of the operator and the technology~~  
26 ~~that best ensures proper facility operation; the prohibition~~  
27 ~~of shallow land burial of hazardous and low-level radioactive~~  
28 ~~wastes; the establishment of a regulatory framework for a~~  
29 ~~facility; and the establishment of provisions for the safe~~  
30 ~~and orderly development, operation, closure, postclosure, and~~  
31 ~~long-term monitoring and maintenance of the facility.~~

32 3. 2. ~~In order to meet capacity assurance requirements~~  
33 ~~of section 104k of the federal Superfund Amendments and~~  
34 ~~Reauthorization Act of 1986, Pub. L. No. 99-499, and further~~  
35 ~~the objectives of waste minimization, the The department,~~

1 in cooperation with the small business assistance center at  
 2 the university of northern Iowa, shall work with generators  
 3 of hazardous wastes in the state to develop and implement  
 4 aggressive waste minimization programs. ~~The goal of these~~  
 5 ~~programs is to reduce the volume of hazardous waste generated~~  
 6 ~~in the state as a whole by twenty-five percent of the amount~~  
 7 ~~generated as of January 1, 1987, as reported in the biennial~~  
 8 ~~reports collected by the United States environmental protection~~  
 9 ~~agency. The twenty-five percent reduction goal shall be~~  
 10 ~~reached as expeditiously as possible and no later than July~~  
 11 ~~1, 1994. In meeting the reduction goal, elements "a" through~~  
 12 ~~"d" of the hazardous waste management hierarchy shall be~~  
 13 ~~utilized. The department, in cooperation with the small~~  
 14 ~~business assistance center, shall reassess the twenty-five~~  
 15 ~~percent reduction goal in 1994. The department shall promote~~  
 16 ~~research and development, provide and promote educational~~  
 17 ~~and informational programs, promote and encourage provide~~  
 18 confidential, voluntary technical assistance to hazardous waste  
 19 generators, promote assistance by the small business assistance  
 20 center, and promote other activities by the public and private  
 21 sectors that support this goal. ~~In the promotion of the goal,~~  
 22 the following hazardous waste management pollution prevention  
 23 hierarchy, in descending order of preference, ~~is established~~  
 24 ~~by the department:~~

- 25 a. Source reduction for waste elimination.
- 26 b. Reuse.
- 27 c. On-site recycling.
- 28 ~~e.~~ d. Off-site recycling.
- 29 ~~d.~~ e. Waste treatment.
- 30 ~~e.~~ f. Incineration Combustion with energy recovery.
- 31 ~~f.~~ g. Land disposal.

32 Sec. 106. Section 455B.481, subsections 4 and 5, Code 2011,  
 33 are amended by striking the subsections.

34 Sec. 107. Section 455B.482, Code 2011, is amended by adding  
 35 the following new subsection:

1     NEW SUBSECTION. 7A. "*Pollution prevention*" means employment  
2 of a practice that reduces the industrial use of toxic  
3 substances or reduces the environmental and health hazards  
4 associated with an environmental waste without diluting or  
5 concentrating the waste before the release, handling, storage,  
6 transport, treatment, or disposal of the waste.

7     Sec. 108. Section 455B.484, Code 2011, is amended by adding  
8 the following new subsection:

9     NEW SUBSECTION. 1A. Implement the waste management policy  
10 provided in section 455B.481.

11     Sec. 109. Section 455B.484, subsections 2, 3, 4, 6, 7, 9,  
12 and 10, Code 2011, are amended by striking the subsections.

13     Sec. 110. Section 455B.484A, subsection 1, paragraph c,  
14 Code 2011, is amended to read as follows:

15     c. "*Assistance program*" means the ~~waste reduction assistance~~  
16 pollution prevention program of the department or of the Iowa  
17 waste reduction center for safe and economic management of  
18 solid waste and hazardous substances conducted pursuant to  
19 section 268.4.

20     Sec. 111. Section 455B.485, subsections 3 and 5, Code 2011,  
21 are amended by striking the subsections.

22     Sec. 112. Section 455B.486, subsection 1, Code 2011, is  
23 amended by striking the subsection.

24     Sec. 113. Section 455B.487, unnumbered paragraph 1, Code  
25 2011, is amended to read as follows:

26     The commission shall adopt rules establishing criteria for  
27 the identification of land areas or sites which are suitable  
28 for the operation of facilities for the management of ~~hazardous~~  
29 ~~and~~ low-level radioactive wastes. Upon request, the department  
30 shall assist in locating suitable sites for the location of  
31 a facility. The commission may purchase or condemn land to  
32 be leased or used for the operation of a facility subject to  
33 chapter 6A. Consideration for a contract for purchase of land  
34 shall not be in excess of funds appropriated by the general  
35 assembly for that purpose. The commission may lease land

1 purchased under this section to any person including the state  
2 or a state agency. This section authorizes the state to own or  
3 operate ~~hazardous waste facilities and~~ low-level radioactive  
4 waste facilities, subject to the approval of the general  
5 assembly.

6 Sec. 114. Section 455B.487, unnumbered paragraph 11, Code  
7 2011, is amended by striking the unnumbered paragraph.

8 Sec. 115. Section 455B.487, subsections 1 through 3, Code  
9 2011, are amended by striking the subsections.

10 Sec. 116. Section 455D.1, Code 2011, is amended by adding  
11 the following new subsection:

12 NEW SUBSECTION. 4A. "*Pollution prevention techniques*" means  
13 any of the following practices employed by the user of a toxic  
14 substance:

15 a. Input substitution, which is the replacement of a toxic  
16 substance or raw material used in a production process with a  
17 nontoxic or less toxic substance.

18 b. Product reformulation, which is the substitution of an  
19 end product which is nontoxic or less toxic upon use or release  
20 for an existing end product.

21 c. Production process redesign or modification, which is  
22 the development and use of production processes of a different  
23 design other than those currently in use.

24 d. Production process modernization, which is the upgrading  
25 or replacing of existing production process equipment or  
26 methods with other equipment or methods based on the same  
27 production process.

28 e. Improved operation and maintenance of existing production  
29 process equipment and methods, which is the modification or  
30 addition to existing equipment or methods, including but not  
31 limited to such techniques as improved housekeeping practices,  
32 system adjustments, product and process inspections, and  
33 production process control equipment or methods.

34 f. Recycling, reuse, or extended use of toxic substances by  
35 using equipment or methods that become an integral part of the



1 production process.

2 Sec. 117. Section 455D.7, subsection 1, Code 2011, is  
3 amended to read as follows:

4 1. Unless otherwise specified in this chapter, adopt rules  
5 necessary to implement this chapter pursuant to chapter 17A.  
6 ~~Initial rules shall be adopted no later than April 1, 1992.~~

7 Sec. 118. Section 455D.7, subsection 4, Code 2011, is  
8 amended by striking the subsection.

9 Sec. 119. Section 455D.15, subsection 2, Code Supplement  
10 2011, is amended by striking the subsection and inserting in  
11 lieu thereof the following:

12 2. The fund shall be utilized by the department for  
13 providing technical assistance to Iowa businesses in developing  
14 and implementing pollution prevention techniques.

15 Sec. 120. Section 455D.15, subsection 3, Code Supplement  
16 2011, is amended by striking the subsection.

17 Sec. 121. Section 455E.8, subsections 2 and 3, Code 2011,  
18 are amended by striking the subsections.

19 Sec. 122. REPEAL. Sections 455B.516, 455B.517, and  
20 455B.518, Code 2011, are repealed.

21 DIVISION XIX

22 HOMELAND SECURITY AND EMERGENCY MANAGEMENT ORGANIZATION

23 Sec. 123. LEGISLATIVE INTENT — HOMELAND SECURITY AND  
24 EMERGENCY MANAGEMENT ORGANIZATION. It is the intent of  
25 the general assembly to enact legislation providing for the  
26 establishment of a homeland security and emergency management  
27 department separate from the department of public defense.

28 EXPLANATION

29 This bill relates to government efficiency, including other  
30 matters related to the operation of state and local government.

31 DIVISION I — GOVERNMENT INFORMATION TECHNOLOGY SERVICES.

32 This division amends Code section 8A.205, concerning  
33 digital government, to encourage state agencies to utilize  
34 duplex printing. The division directs the department of  
35 administrative services (DAS) to conduct an inventory of

1 information technology devices utilized by state agencies  
2 with the goal of identifying possibilities to reduce costs.  
3 DAS is required to submit a report to the general assembly  
4 by January 1, 2013, concerning the results of the inventory.  
5 This division of the bill also directs DAS to establish a  
6 schedule for departments to comply with information technology  
7 coordination and management requirements of Code chapter  
8 8A. In addition, DAS is encouraged to procure information  
9 technology for participating agencies through leasing.

10 DIVISION II — PERSONNEL AND BENEFITS. This division enacts  
11 new Code section 8A.440 to provide that collective bargaining  
12 agreements negotiated after the effective date of this section  
13 of the bill shall include provisions requiring state employees  
14 whose spouse is also a state employee enroll in a family group  
15 health insurance plan for both employees. The bill provides  
16 that this new Code section takes effect upon enactment.

17 This division also directs those state entities negotiating  
18 collective bargaining agreements to enter into discussions  
19 with employee organizations representing state employees to  
20 renegotiate provisions in the agreement to provide that state  
21 employees whose spouse is also a state employee enroll in a  
22 family group health insurance plan for both employees. If the  
23 agreements are renegotiated, the changed provisions shall also  
24 apply to state employees who are not covered by a collective  
25 bargaining agreement. In addition, this division of the bill  
26 applies the same family group health insurance requirement to a  
27 state legislator and legislative staff. These provisions of  
28 the bill take effect upon enactment.

29 This division of the bill also excludes employees of the  
30 secretary of state who hold positions that are classified  
31 as information technology specialists from Code chapter 20,  
32 relating to public employee collective bargaining.

33 This division of the bill also amends Code section  
34 97B.1A(26), concerning the definition of wages for purposes  
35 of the Iowa public employees' retirement system (IPERS) for

1 members of the general assembly. The division provides that  
2 per diem payments to members of the general assembly and daily  
3 allowance paid to members of the general assembly are not  
4 considered wages for purposes of IPERS.

5 This division also requires DAS to conduct a study to  
6 consider the feasibility of entering into a contract with a  
7 private entity to provide human resources services currently  
8 provided by DAS to state employees. DAS is required to submit  
9 a report to the general assembly relative to the study by  
10 January 1, 2013.

11 DIVISION III — MEDICATION THERAPY MANAGEMENT. This  
12 division of the bill relates to medication therapy management.  
13 The bill codifies the pilot program for medication therapy  
14 management implemented on July 1, 2010, for eligible state  
15 employees, making the program an ongoing program and directing  
16 DAS to utilize a request for proposals process and to enter  
17 into a contract to continue the program. This division of the  
18 bill takes effect upon enactment.

19 DIVISION IV — IOWA LAW ENFORCEMENT ACADEMY. This division  
20 directs the director of the Iowa law enforcement academy, in  
21 consultation with the Iowa law enforcement academy council, to  
22 examine its course offerings to law enforcement officers with  
23 the goal of offering more core courses to all law enforcement  
24 officers instead of offering distinct courses geared to  
25 particular law enforcement officers.

26 DIVISION V — STATE PHYSICAL RESOURCES. This division of the  
27 bill requires that DAS conduct an analysis of state employee  
28 workstations and office standards by September 30, 2012. The  
29 division further requires the department to submit findings  
30 and recommendations to the capitol planning commission and the  
31 legislative government oversight committees by October 30,  
32 2012.

33 This division of the bill also requires the department of  
34 natural resources to conduct an inventory of all real property  
35 under the control of the department and to submit a report to

1 the general assembly providing detailed information relative to  
2 the inventory by January 1, 2013.

3 New Code section 455A.14 provides that the department of  
4 natural resources shall not purchase real property that is  
5 agricultural land.

6 This division takes effect upon enactment.

7 DIVISION VI — FILM PROJECT AND TAX CREDIT PROGRAM. This  
8 division of the bill repeals the film, television, and video  
9 project promotion program within the economic development  
10 authority. The bill also repeals the various tax credits and  
11 tax exclusions provided under the program. The repeal takes  
12 effect immediately upon enactment and applies retroactively  
13 to January 1, 2012, for tax years beginning on or after that  
14 date. The division does not impact existing contracts or  
15 agreements entered into on or before the effective date of this  
16 division of the bill. The division makes changes corresponding  
17 to the repeal of the program and the related tax credits and  
18 exclusions.

19 DIVISION VII — HUMAN SERVICES — FOOD ASSISTANCE PROGRAM.  
20 This division of the bill requires the department of human  
21 services to request authorization from the United States  
22 department of agriculture to allow the state to restrict the  
23 use of food assistance benefits for food items with a low  
24 nutritional value. The state administers the food assistance  
25 benefits, formerly known as food stamps, under the federal  
26 supplemental nutritional assistance program (SNAP).

27 The department is directed to submit the request within  
28 60 days of the bill division's effective date and to report  
29 regularly on the status of the request to the members of the  
30 joint appropriations subcommittee on health and human services  
31 and the legislative services agency.

32 The division takes effect upon enactment.

33 DIVISION VIII — MENTAL HEALTH SERVICES. Code section  
34 225C.6, concerning the duties of the mental health and  
35 disability services commission, is amended to provide that the

1 commission shall receive and consider any official reports  
2 from the governor's developmental disabilities council and the  
3 mental health planning council.

4 Code section 426B.5(2), concerning the risk pool board  
5 for mental health, mental retardation, and developmental  
6 disabilities services, is amended by eliminating the risk pool  
7 board and providing that the mental health and disability  
8 services commission serve as the risk pool board.

9 DIVISION IX — ELECTRONIC COMMUNICATIONS. This division  
10 provides that each state department and agency shall provide  
11 departmental or agency notices or information through the  
12 department's or agency's internet site or through electronic  
13 mail to the fullest extent possible. Code section 22.7,  
14 concerning confidential public records, is amended to provide  
15 that electronic mail addresses of individuals collected by  
16 state departments and agencies for the purpose of electronic  
17 communications shall be considered confidential.

18 DIVISION X — STATE RECORDS. This division eliminates  
19 the state records commission and transfers the duties and  
20 responsibilities of the state records commission to the  
21 department of cultural affairs. The division includes a  
22 transition provision that any rule promulgated by the state  
23 records commission shall continue until changed by the  
24 department of cultural affairs.

25 This division also authorizes the department of cultural  
26 affairs to bill agencies for records storage and retention.  
27 Code section 305.8 is amended to provide that the state records  
28 commission establish rates to charge agencies for providing  
29 records storage and retention services. New Code section  
30 305.8A authorizes the department of cultural affairs to bill  
31 agencies for records storage and retention services, establish  
32 an internal service fund for receipt of moneys from agencies  
33 billed for this purpose, and authorizes the department to  
34 utilize moneys received and deposited in the fund for the  
35 operations of the department in records storage and retention.

1 The division also provides that the department of cultural  
2 affairs utilize the Iowa building as the centralized records  
3 storage facility upon conclusion of the existing lease on the  
4 building currently used for this purpose.

5 DIVISION XI — LOCAL GOVERNMENT. This division of the bill  
6 changes the date of regular school elections for local school  
7 districts, merged areas, and area education agencies. The bill  
8 moves the date of the regular school election from the second  
9 Tuesday in September in odd-numbered years to the first Tuesday  
10 after the first Monday in November of odd-numbered years, which  
11 is the date of the regular city election.

12 Because area education agency board directors are elected at  
13 the director district conventions by members of school boards,  
14 the bill also changes the date of their election from September  
15 to November in the odd-numbered year. This division takes  
16 effect January 1, 2014.

17 DIVISION XII — LOCAL GOVERNMENTS — ELECTRONIC PAYMENT.  
18 This division provides that local governments shall encourage  
19 persons to pay fees and taxes collected by local governments  
20 by credit card, debit card, or other electronic means. The  
21 division provides that local governments should reduce  
22 convenience or other handling fees charged persons for  
23 utilizing electronic payment.

24 DIVISION XIII — COMMODITY ORGANIZATION AUDITS. This  
25 division of this bill relates to four commodity organizations  
26 representing producers of sheep (and wool), eggs, turkeys,  
27 and corn. The marketing, research, and promotional purposes  
28 of these organizations are financed by an excise tax or state  
29 assessment (commonly referred to as a checkoff) imposed upon  
30 the first purchasers of the commodities. Moneys derived from  
31 each checkoff are controlled by the governing body of each  
32 organization, including the Iowa sheep and wool promotion  
33 board, the Iowa egg council, the Iowa turkey marketing council,  
34 and the Iowa corn promotion board. In each case, the collected  
35 moneys are subject to audit by the auditor of state. In 2010,

1 the general assembly enacted SF 2367 (2010 Iowa Acts, ch. 1189)  
2 which amended a number of sections referring to those audits,  
3 by authorizing the auditor of state to be reimbursed from the  
4 organizations for the cost of the audits. This division of  
5 this bill eliminates the changes made in SF 2367 and restores  
6 the sections to the language as it existed prior to that  
7 legislation.

8 The division takes effect upon enactment.

9 DIVISION XIV — ONGOING PROGRAM REVIEW. This division of  
10 the bill addresses regular review of programs and projects  
11 administered by executive branch departments by providing for  
12 implementation of an organized system of ongoing repeal dates  
13 for the programs and projects. Code section 8.2 defines the  
14 term "department" to mean any executive department, commission,  
15 board, institution, bureau, office, or other agency of the  
16 state government, that uses, expends, or receives any state  
17 funds.

18 New Code section 8.71 states legislative findings as to the  
19 purposes for performing a regular review of state programs and  
20 projects. The state government efficiency review committee is  
21 directed to propose legislation for the Eighty-fifth General  
22 Assembly, 2014 session, providing a staggered schedule for  
23 establishing an automatic repeal date for each program or  
24 project administered by a department over the succeeding  
25 five-year period. The review committee is required to  
26 consult with the office of the governor and the department of  
27 management in formulating the staggered schedule and the office  
28 and the department are required to cooperate in providing  
29 information requested by the committee. The repeal date  
30 provisions are required to be implemented in a manner so that  
31 any program or project that is reauthorized by law is again  
32 subject to automatic repeal five years after reauthorization.

33 DIVISION XV — IOWA JOBS BOARD. This division of this bill  
34 eliminates the Iowa jobs board and provides that any duties  
35 or responsibilities of the Iowa jobs board shall become the

1 responsibility of the Iowa finance authority. The division of  
2 the bill also amends Code section 16.196, concerning the Iowa  
3 jobs restricted capitals fund and associated appropriations, to  
4 reflect the elimination of the Iowa jobs board. The division  
5 also provides transition provisions relative to any contracts  
6 or agreements entered into by the Iowa jobs board and provides  
7 for a limitation of personal liability for actions by a member  
8 or agent of the board taken prior to the effective date of this  
9 division of the bill relative to the duties of the board.

10 DIVISION XVI — BOARDS AND COMMISSIONS. This division  
11 of the bill eliminates the E911 communications council and  
12 transfers the duties of that council to the state interoperable  
13 communications system board. This division of the bill also  
14 repeals the farm-to-school council.

15 DIVISION XVII — OBSOLETE PROVISIONS. This division of  
16 the bill removes obsolete language from the Code relating  
17 to programs administered by the department of workforce  
18 development which are no longer active or funded.

19 The programs removed are the Iowa conservation corps, the  
20 statewide mentoring program, and the new employment opportunity  
21 program. The Iowa conservation corps was established to  
22 provide public services jobs for certain specified segments of  
23 the population in conservation-related areas. The statewide  
24 mentoring program was established to recruit, screen, train,  
25 and match individuals in mentoring relationships. The new  
26 employment opportunity program was established to assist  
27 individuals in underutilized segments of the workforce to gain  
28 and retain employment.

29 This division of the bill repeals Code section 15.112,  
30 relating to matching funds for a farmworks national  
31 demonstration project; Code chapter 15C, relating to a world  
32 trade center; Code chapter 15D, relating to the midwest nuclear  
33 compact; and Code section 28K, relating to mid-America port  
34 agreement. Code chapter 15D contains provisions relating to  
35 repeal and withdrawal from the compact.



1 This division of the bill also repeals Code section 303.3E,  
2 the culture, history, and arts teams program, and Code section  
3 303.17, concerning Iowa studies and the Iowa studies committee.

4 DIVISION XVIII — POLLUTION PREVENTION AND WASTE MANAGEMENT  
5 ASSISTANCE. This division of this bill relates to pollution  
6 prevention and waste management assistance.

7 This division amends the waste management assistance  
8 provisions of Code chapter 455B by updating the waste  
9 management policy. The division includes reuse and combustion  
10 with energy recovery in the pollution prevention hierarchy and  
11 removes incineration from the hierarchy.

12 This division includes a new definition for "pollution  
13 prevention" and uses the term to replace "hazardous waste  
14 management" and "waste reduction assistance". The division  
15 eliminates references to hazardous waste throughout Code  
16 chapter 455B, division IV, part 9, including duties of the  
17 department and the environmental protection commission relating  
18 to hazardous waste and the location, acquisition, and operation  
19 of hazardous waste management facilities.

20 This division eliminates many of the duties of the  
21 department in relation to waste management and includes a new  
22 general duty to implement the waste management policy.

23 This division eliminates two duties of the environmental  
24 protection commission in relation to waste management policy.  
25 The duties relate to budget requests and approval of certain  
26 contracts and agreements.

27 This division eliminates a duty of the commission to  
28 recommend to the general assembly, annually, the imposition of  
29 waste abatement fees, rebates, and deposits.

30 This division amends provisions related to the waste volume  
31 reduction and recycling fund. This division eliminates a  
32 requirement that grants from the fund be awarded based on the  
33 solid waste management hierarchy. This division provides that  
34 the fund shall be utilized for purposes of providing technical  
35 assistance to Iowa businesses in developing and implementing

1 pollution prevention techniques.

2 This division eliminates two duties of the director of the  
3 department relating to groundwater reporting requirements.

4 This division repeals Code sections 455B.516, 455B.517,  
5 and 455B.518, which relate to the toxics pollution prevention  
6 program.

7 DIVISION XIX — HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
8 ORGANIZATION. This division provides that it is the intent of  
9 the general assembly to enact legislation providing for the  
10 establishment of a homeland security and emergency management  
11 department separate from the department of public defense.